

Letter from Mauro, Cameron, Lewis & Massie to Alexander Graham Bell, October 5, 1915

S. T. CAMERON. LAW OFFICES TELEPHONE: Washington, Main 3461. REEVE LEWIS. OF New York, 7550 Barclay. C. A. L. MASSIE. **MAURO, CAMERON, LEWIS & MASSIE**, CABLE ADDRESS: Mauro—Washington. W. B. KERKAM. Patents and Patent Causes, Phimauro—New York. F. A. HOLTON. 700 TENTH ST., N. W., WASHINGTON, D. C. CODES USED: Liebers. RALPH L. SCOTT. (Woolworth Bldg., 233 Broadway, New York.) Western Union. Marconi. **WASHINGTON**, Oct. 5, 1915. Dr. Alexander Graham Bell, Beinn Bhreagh, near Baddeck, Victoria County, Nova Scotia, Canada. Dear Dr. Bell:

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Bell et al. v. Myers — Intf. N o 34,455.

We are in receipt from the Patent Office of the decision of the Examiner of Interferences, awarding priority of invention to you and the other joint inventors, and have just wired you as follows:—

“In Bell Myers interference, decision Examiner of Interferences in our favor. Are mailing copy of opinion.”

We enclose herewith copy of the opinion of the Examiner of Interferences, which you will find very satisfactory reading. Please communicate the same to Mr. Baldwin. We have today advised Mr. C. J. Bell of the decision of the Examiner of Interferences, and are mailing him a copy of the opinion. We are also forwarding copy of the opinion to Messrs. Curtiss and McCurdy.

Congratulating you and the other joint inventors on this decision, and with best regards and wishes, we remain,

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Very truly yours, K-IW Mauro, Cameron, Lewis & Massie, Enc. Per

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in sustaining this contention, but inasmuch as, if it is successful, it will obviate much labor and expense, we shall make the point and press it as hard as possible.

You will observe that in Myers' preliminary statement he alleges conception on or about the 27th day of January 1894 and that he first reduced the invention to practice by the filing of an application for patent on January 29, 1897. We feel practically certain that the counts of the issue would not read on the disclosures of this application which was filed on January 29, 1897, or the Primary Examiner would have placed us in interference with said application. You will observe that Myers' original application 466,080 was filed Dec. 5, 1908, several months after he had observed the construction of the interference issue being used on the "June Bug".

We have not ordered certified copies of the file-wrappers and contents of the two Myers' applications referred herein, inasmuch as the contents are so voluminous that they would involve a considerable expense. Further, most of the mass of material in the two file wrappers is not pertinent. In view of the situation as now presented to us, we must confront the probability of having to introduce our prima facie case sometime this fall. The Examiner of Interferences has already fixed October 12, 1912 as the time for completing this prima facie testimony, but inasmuch as we shall make a motion to dissolve, a new limit will be later fixed — and probably several months later than the date indicated. The limit of time for making motions in this matter is August 10, 1912, and we would be obliged if you would let us hear from you in connection with the foregoing as soon as possible. We also enclose herewith for your information copy of the declaration of the interference and copies of your preliminary statement and supplemental preliminary statement. If among your papers at Baddeck you can discover any drawings, publications or other records that would establish the dates alleged, it would certainly be well that we have the same in hand as soon as possible so that we may know on just what we will have to rely. We presume

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that you would prefer to give your deposition in this matter in Washington, and we would like to know promptly when you expect to return to this city in order that we may arrange, if possible, that our time for taking testimony shall cover this period.

Have you discussed this interference with Mr. Baldwin and does he remember the general discussion had on April 6, 1908 with respect to arranging the lateral balancing rudders at a zero angle of incidence?

You may retain all of the enclosed documents for your files.

With best regards and wishes,

Sincerely yours, K/W Mauro, Cameron, Lewis & Massie, Enclosures: Per